

1 SENATE MEMORIAL 2

2 **50TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2011**

3 INTRODUCED BY

4 Tim Eichenberg

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10 A MEMORIAL

11 REQUESTING A STUDY, REPORT AND RECOMMENDATIONS REGARDING STATE
12 LICENSING OF HOME INSPECTORS.

13
14 WHEREAS, home inspection is an important part of a
15 residential real estate transaction and provides consumers with
16 a description of the condition of the house being purchased;
17 and

18 WHEREAS, New Mexico is one of only sixteen states in the
19 United States that does not license home inspectors; and

20 WHEREAS, there are no minimum training, experience or
21 continuing education requirements for a person to engage in the
22 business of home inspection; and

23 WHEREAS, the New Mexico real estate commission receives a
24 large number of property condition complaints annually, and
25 often the complaints become a source of costly litigation; and

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1 WHEREAS, consumers deserve the same degree of protection
2 for home inspection issues that exists for virtually all other
3 aspects of a residential real estate transaction; and

4 WHEREAS, the regulation and licensing department, the New
5 Mexico real estate commission and the REALTORS association of
6 New Mexico have engaged in informal discussions regarding the
7 need and proper enforcement mechanism for state licensing of
8 home inspectors; and

9 WHEREAS, these organizations agree that further study is
10 necessary before legislation relating to licensing of home
11 inspectors is introduced in order to ensure that the chosen
12 approach is cost-effective and does not impose undue regulatory
13 burdens on consumers and professionals; and

14 WHEREAS, the senate would be well served by having these
15 organizations study legislation relating to licensing of home
16 inspectors;

17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
18 OF NEW MEXICO that representatives from the regulation and
19 licensing department, the New Mexico real estate commission and
20 the REALTORS association of New Mexico be requested to form a
21 working group to study legislation providing for home inspector
22 licensing; and

23 BE IT FURTHER RESOLVED that the working group present its
24 findings and recommendations for proposed legislation to the
25 interim legislative Mortgage Finance Authority Act oversight

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1 committee by no later than November 15, 2011; and

2 BE IT FURTHER RESOLVED that copies of this memorial be
3 transmitted to the regulation and licensing department, the New
4 Mexico real estate commission and the REALTORS association of
5 New Mexico.

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